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June 9, 1999

330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

Telephone (416) 595-1155
Cable "Simbas" Toronto
Fax (416) 595-1163
Telex 065-24567 Simbas

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
BRENDA L. BOARDMAN
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
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GILLIAN M. SMITH
L.E. TRENT HORNE
LOLA A. BARTOSZEWCZ

SENIOR CONSULTANT
PETER W. MCBURNEY

TECHNICAL ASSISTANTS
JEFFREY W. WONG, B.Sc.E.E.
URSULA M. MCGUINNESS, Ph.D.

BY COURIER

The Commissioner of Patents and
Trademarks,
Washington, D.C. 20231,
U.S.A.

Attention: Box Missing Parts

Dear Sir:

Re: U.S. Application No. 09/142,628
Applicant: LISA E. MYERS ET AL
Title: TRANSFERRIN RECEPTOR GENES OF
MORAXELLA
Filed: September 3, 1998

In response to the Notification dated May 26, 1999, submitted herewith are:

1. Declaration and Power of Attorney executed by all inventors except Schryvers and Klein;
2. Declaration and Power of Attorney executed by inventor Klein;
3. Declaration and Power of Attorney executed by inventor Schryvers;
4. Cheque in the amount of the Surcharge fee;.
5. Copy of Notification

It is submitted that the requirements of the Notification have been satisfied.
Yours very truly,


Michael I. Stewart
Reg. No. 24,973

06/14/1999 PVO/LPE 00000203 09142628

01 FC:154

130.00 0P

M.I. Stewart:ll
Encls.

 09/144628		Patent and Trademark Office Address: ASSISTANT COMMISSIONER FOR PATENTS Box PCT Washington, D.C. 20231	
09/144628		1038-832	
APPLICATION NO.		FIRST NAMED APPLICANT	
TRADEMARKS		1038-832	

MICHAEL I. STEWART
SIM & MCBURNEY
6TH FLOOR, 330 UNIVERSITY AVENUE
TORONTO ONTARIO
CANADA

5611

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE	PRIORITY DATE
03/07/97	03/08/96

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):
 U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed _____ and _____
 Information Disclosure Statement(s) filed 25 Nov 1998 and _____
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the international Search Report and copies of the references cited therein.
 Other:
- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- The Article 19 amendments are cancelled since a translator was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

PCT/DO/EO/917

Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

MICHAEL I. STEWART
 Michael I. Stewart
 6th Floor, 330 University Avenue
 Toronto, Ontario
 M5G 1J9



UNITED STATES PATENT AND TRADEMARK OFFICE
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

09/142628

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/142,628	MYERS	1000 033 MIS
5611		
MICHAEL I. STEWART SIM & MCBURNEY 6TH FLOOR 330 UNIVERSITY AVENUE TORONTO ONTARIO CANADA		
INTERNATIONAL APPLICATION NO. PCT/CA97/00163		
LA. FILING DATE		PRIORITY DATE
03/07/97		03/08/96
DATE MAILED: 05/26/99		

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. does not identify the specification to which it is directed.
3. does not identify the inventor(s).
4. does not identify the citizenship of each inventor.
5. does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. does not identify the city and state or city and foreign country of residence of each inventor.
2. does not state that the person making the oath or declaration:
 - a. has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Delvin D. Williams
Telephone: 703-305-3744